

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

APR 22 2015

JULIA C. RUDLEY, CLERK  
BY:   
DEPUTY CLERKUnited States of America  
v.  
MARIO TORRES HERNANDEZ)  
)  
) Case No: 4:10CR00019-001  
) USM No: 15831-084  
)  
)  
) Defendant's AttorneyDate of Previous Judgment: 11/22/2011  
(Use Date of Last Amended Judgment if Applicable)

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 100 months is reduced to 83 months\*.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 25	Amended Offense Level: 23
Criminal History Category: VI	Criminal History Category: VI
Previous Guideline Range: 110 to 137 months	Amended Guideline Range: 92 to 115 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

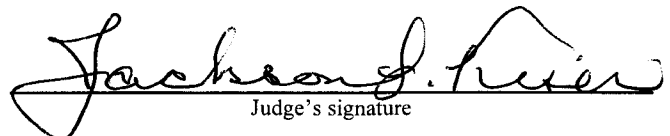
## III. ADDITIONAL COMMENTS

\*Defendant is sentenced to 83 months, but not less than time served. Defendant's Motion to Appoint Counsel [ECF No. 89] is DENIED.

Except as provided above, all provisions of the judgment dated 11/22/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 4/22/2015

  
Judge's signature

Effective Date: 11/01/2015  
(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge  
Printed name and title